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**AFFIDAVIT OF TASK FORCE OFFICER MATTHEW SMITH IN SUPPORT OF
A CRIMINAL COMPLAINT AND ARREST WARRANTS**

I, Matthew Smith, Task Force Officer ("TFO") with the Department of Homeland Security, Homeland Security Investigations ("HSI"), having been duly sworn, depose and state as follows.

INTRODUCTION AND TASK FORCE OFFICER BACKGROUND

1. I have been a police officer with the Warwick Police Department ("PD") since May 2014 and was elevated to the rank of Detective in March 2018. In August 2019 I was assigned to HSI and was designated as a Title 19 TFO. I am currently assigned to conduct investigations in the HSI Providence Office.

2. In accordance with 19 § U.S.C. 1589a, Title 19, Task Force Officers are federal law enforcement officers and are authorized to enforce the full range of federal law including violations of other titles of the United States Code, including but not limited to Title 18 and Title 31. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. In connection with my official duties, I have investigated and assisted other agents in investigating numerous cases involving a wide variety of criminal violations including, but not limited to, narcotics trafficking, money laundering, interstate transportation of stolen property bank fraud, wire fraud and access device fraud.

3. In connection with my official duties, I have investigated and assisted

other agents in investigating numerous cases involving a wide variety of criminal violations including, but not limited to, money laundering, interstate transportation of stolen property, bank fraud, aggravated identity theft, wire fraud and access device fraud.

4. The information contained in this affidavit is based on witness interviews, conversations with investigators from multiple agencies/ departments involved in this investigation, my personal knowledge, and observations during the course of this investigation, my personal training and experience as a criminal investigator, and the review of records, documents and other evidence obtained during this investigation. Because this affidavit is submitted for the limited purpose of establishing probable cause for the requested arrest warrants, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause to support the warrants requested herein.

5. HSI is conducting an investigation involving Stefano GARIOLI a/k/a

“Leon VUTKUS¹” and Mario DEMARCO a/k/a “David ADAMEC²” (“Target Subjects”), and other unknown individuals and their involvement in a skimming/access device scheme in which skimming devices are placed on Automated Teller Machines (“ATMs”) to steal customer bank account information, that stolen customer bank account information is cloned onto a counterfeit card, and then used to fraudulently withdraw money from the victim bank account.

PURPOSE OF AFFIDAVIT

6. I submit this affidavit in support of applications for criminal complaints and arrest warrants for the following Target Subjects:

¹ “Leon VUTKUS” is the name that was used by the individual who was arrested by the Warwick PD on July 6, 2024, as described below. At the time of his arrest, “VUTKUS” had in his possession a Czech Republic identification in the name of “Leon Vutkus.” However, his fingerprints taken after he was arrested by the Warwick PD showed that he was arrested on April 18, 2023, by the North Haven PD, in Connecticut, using the name “Stefano GARIOLI.” After being confronted with this inconsistency, “VUTKUS” said he was GARIOLI. During the CT arrest, “VUTKUS” identified himself as “Stefano GARIOLI” with a United Kingdom identification card. We are still working to confirm GARIOLI’s true identity.

² “David ADAMEC” is the name that was used by the individual who was arrested by the Warwick PD on July 6, 2024, as described below. At the time of his arrest, “ADAMEC” had in his possession a Czech Republic identification in the name of “David Adamec.” However, his fingerprints taken after he was arrested by the Warwick PD showed that he was arrested on April 18, 2023, by the North Haven PD, in Connecticut, using the name “Mario DEMARCO.” During the CT arrest, ADAMEC identified himself as “Mario DEMARCO” with a United Kingdom identification card. after being advised of his Miranda rights at the time of his CT arrest, DEMARCO advised he was of Italian descent and fluent in both Italian and English. An Italian speaking officer began to speak to DEMARCO in Italian, and it was noted that DEMARCO did not appear to be fluent in Italian as he previously stated. We are still working to confirm DEMARCO’s true identity.

- Stefano GARIOLI a/k/a “Leon VUTKUS”, Citizenship unknown at this time.



- Mario DEMARCO a/k/a “David ADAMEC”, Citizenship unknown at this time.



7. Based on the facts set forth in this affidavit, there is probable cause to believe that Stefano GARIOLI and Mario DEMARCO did commit violations of 18 U.S.C.

§ 1029(b)(2), (conspiracy to commit access device fraud), 18 U.S.C. § 1349, (conspiracy to commit bank fraud), and 18 U.S.C. § 1028A (a)(1) and (c)(5) (aggravated identity theft), (collectively, the “Target Offenses”).

SKIMMING/ACCESS DEVICE SCHEMES

8. I know based upon my training and experience, conversations with other law enforcement officers, and review of similar cases involving skimming devices that that skimming devices are used by fraudsters on Automated Teller Machines (ATMs) to steal customers’ account information.

9. ATMs are electronic devices operated by financial institutions for use by banking customers to conduct banking transactions, such as withdrawing money from accounts. ATMs are often located on the premises of financial institutions and other business establishments.

10. A standard ATM requires the user to identify themselves as a particular banking customer by inserting a unique credit or debit card with a magnetic strip that stores data about the user’s bank account into a card reader. The ATM then requires the cardholder to verify his or her identity by typing a unique personal identification number (PIN) onto a provided keypad. Once the correct PIN is entered by the user, the ATM provides the user access to the user’s bank account, which can include permitting the user to withdraw a specific amount of available funds from the account in the form of currency. In this way, credit and debit cards and PINs used at ATMs function as “access devices,” as that term is defined in 18 U.S.C § 1029(e)(1).

11. Many ATMs are connected to interbank networks, which communicate

over interstate wires and enable a banking customer to withdraw money from an account using an ATM owned and operated by a financial institution other than the financial institution that holds the account.

12. The placement of skimming/access devices allows participants in these fraud schemes to use devices to capture account information and PINs on terminals where victims use their credit and debit cards. The scheme participants then create counterfeit debit or credit cards and use the counterfeit cards and stolen PINs to obtain cash and other property from the victim's accounts.

13. A skimming device surreptitiously records account information from credit or debit cards while such cards are in use. Participants in the scheme typically install the device on, over, or inside a genuine card reader in such a way as to avoid detection by the card users. Card skimming/access devices can be found on debit/credit card readers located at ATMs, but also at point-of-sale terminals in retail stores, gas stations, or similar locations. In some instances, the device is used in conjunction with a camera either contained within the device or in a separate device. The camera is focused on the keypad of the machine and is capable of capturing images of the user's manual entry of their PIN. In other instances, the electronic components of the skimming device can record the PIN and a camera is not necessary.

14. Participants in the skimming/access device scheme typically remove the skimming device from the compromised machine after a short period of time. Participants in the scheme then transfer the stolen account information recorded from credit or debit cards from the skimming device to a computer or other electronic storage

device. The participants then match that information with corresponding PINs. Participants in these schemes also use "Bluetooth" technology to transfer the stolen information via radio waves from the skimming device to a computer rather than using cables or wires to connect the skimming device and the computer. This technology allows the criminals to surreptitiously download the stolen account information without the need to remove the skimming device from the compromised machine.

15. A counterfeit credit or debit card can be made by transferring a genuine card's account information to another card with a magnetic strip through the use of a magnetic strip encoding machine. Participants in the scheme may then use the counterfeit card with the corresponding PIN to fraudulently withdraw funds from a compromised bank account or at a business to fraudulently purchase goods and services.

PROBABLE CAUSE

BACKGROUND OF THE INVESTIGATION

Attempted Placement of Skimming Device on Warwick, RI ATM on July 3, 2024

16. In July of 2024, I became aware of an investigation into the attempted placement of a skimming device on an ATM at Coastal1 Credit Union located at 3319 Post Road, Warwick, RI 02886. The investigation was initiated by the Warwick PD on July 5, 2024, after they were contacted by Coastal1 Credit Union. Members of the Warwick PD met with Coastal1 Credit Union Manager R.M. Manager R.M. reported that as part of his normal procedures, he checks the ATMs and reviews video surveillance footage every morning to see if there were any attempts to compromise the ATMs during the previous day.

17. R.M. reported that during those procedures on July 5, 2024, he observed two males attempting to place a skimming device inside the drive-up ATM on July 3, 2024, at approximately 7:55 pm. R.M. reported that through video surveillance footage, he observed the males walk up to the ATM from an area of an adjacent business, Apponaug Color & Hobby Shop, located at 1364 Greenwich Avenue, Warwick, RI 02886.³

18. The Coastal1 Credit Union ATM video file from the ATM located in Warwick for July 3, 2024, shows a subject later identified as Stefano GARIOLI insert the deep insert skimmer⁴ into the ATM.

19. The Coastal1 Credit Union ATM video file from the ATM located in Warwick for July 3, 2024, shows that after the deep insert skimmer was placed into the ATM, both GARIOLI and DEMARCO continue to manipulate the ATM in the area where the deep insert skimmer was installed. After reviewing that video file, I observed DEMARCO to remove the deep insert skimmer from the ATM.

20. An image as shown below is of GARIOLI holding a deep insert skimming

³ Warwick Detective Toussaint was then informed by R.M. of additional skimming device incidents that occurred at other Coastal1 Credit Union locations. R.M. reported the on July 1, 2024, the Cranston, Sockanosset Cross Road location was affected which is located at 40 Sockanosset Cross Road, Cranston, RI 02920.

⁴ I know from previous law enforcement investigations involving access device fraud, that the device that was inserted into the ATM in Warwick, RI is a "Deep Insert Skimmer". This device, which is placed inside of the card reader, is designed to read the data from the cards magnetic stripe which contains all the card information. To successfully steal a cards data, the suspect needs to obtain the PIN number. To accomplish this, a hidden camera is commonly placed on the fascia of the ATM (which is the plastic front of the ATM that faces the customer) in a manner that would capture the PIN pad.

devices in his right hand (circled in red) and a tool used to insert that device into the ATM card slot in his left hand.⁵:



That video footage also captured a subject later identified as Mario DEMARCO remove a card from his pocket and insert it into the ATM. Further review of that ATM video footage revealed both GARIOLI and DEMARCO manipulating the ATM after the deep insert skimmer was installed. A still image from this video surveillance showing GARIOLI (in glasses) and DEMARCO can be seen below:



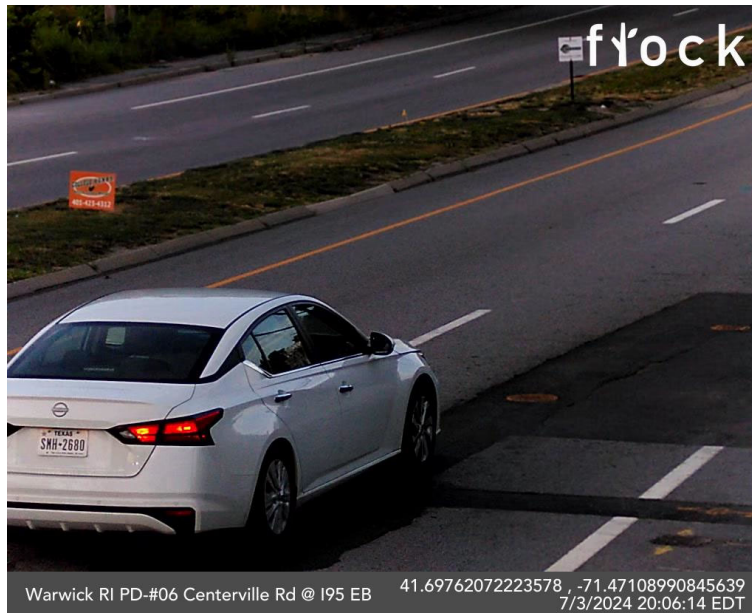
21. Detective Toussaint responded to a nearby business, People's Liquor

⁵ For clarity and demonstration, I inserted this red circle into the image. It did not appear in the original surveillance photograph.

Warehouse located at 1350 Greenwich Avenue, Warwick, RI 02886, and reviewed video surveillance footage which captured three exterior views, that included the front and rear parking lots and surrounding areas. In his review of this security footage, Detective Toussaint observed that on July 5, 2024, a white Nissan Altima sedan was observed parking behind the Apponaug Color & Hobby Shop at approximately 8:01 pm (DVR time). That vehicle is hereinafter referred to as the “Target Vehicle”. Two subjects were observed exiting the Target Vehicle and walking through the fence opening toward the drive-up ATM at Coastal Credit Union. At approximately 8:04 pm (DVR time), the subjects return to the Target Vehicle and drive away at 8:09 pm (DVR time). Below is an image of the Target Vehicle captured from this surveillance video:



22. Law enforcement conducted a query through Flock Safety, a License Plate Recognition (LPR) system, for a white Nissan sedan. Law enforcement observed a vehicle matching the description of the suspect vehicle captured on video surveillance footage from People’s Liquor Warehouse on Centerville Road in Warwick, RI, on July 3, 2024, at approximately 8:06 pm as shown below:



This location is approximately 1.0 miles away from Coastal1 Credit Union according to Google Maps.

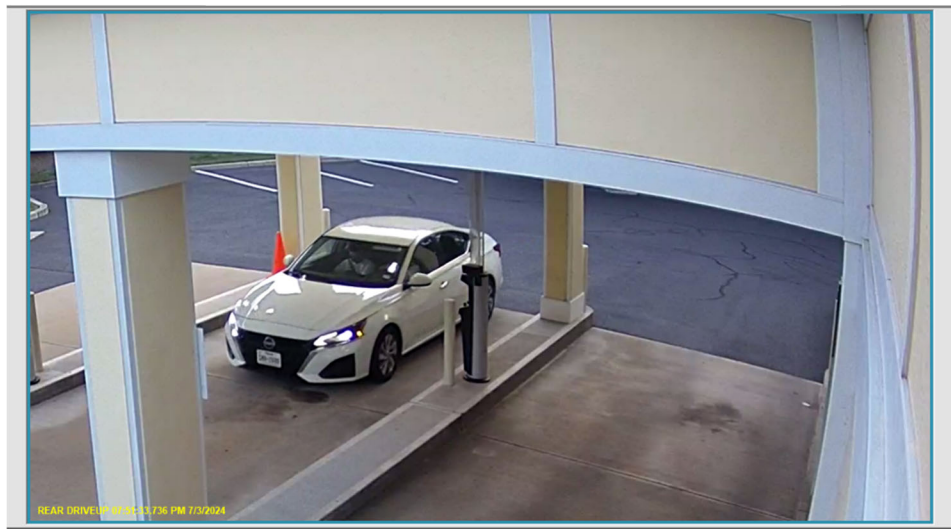
23. Thus, the Target Vehicle was fully identified through the LPR capture as a white 2023 Nissan Altima (VIN # 1N4BL4BV8PN339608) bearing Texas Registration SMH-2680⁶. Checks through the National Law Enforcement Telecommunications System (NLETS) and the Rhode Island Law Enforcement Telecommunications System (RILETS) revealed that the Target Vehicle is owned by Hertz Vehicles, LLC.

Skimming Device Inserted in North Kingstown, RI ATM on July 3, 2024

24. In addition to the Coastal1 Credit Union video file of the Warwick ATM from July 3, 2024, Coastal1 Credit Union Security Officer E.B. also provided the Warwick PD with two images of a suspect vehicle involving in a skimming incident that occurred

⁶ Additional queries through Flock Safety for the Target Vehicle, revealed multiple LPR captures between June 29, 2024, and July 6, 2024, in Warwick, RI, Cranston, RI, Smithfield, RI, Pawtucket, RI, East Providence, RI, Providence, RI, and Norwich, CT.

at their North Kingstown location, located at 221 Tower Hill Road, North Kingstown, RI 02852. E.B. reported that the North Kingstown incident occurred on July 3, 2024, at approximately 7:41 pm. I reviewed those images and observed that the vehicle appeared to be the Target Vehicle. An image of this vehicle taken from Coastal1 Credit Union security footage can be seen below:



25. Additional images provided by E.B. showed GARIOLI standing in front of the ATM holding a deep insert skimmer. Additional images showed GARIOLI manipulating the ATM and holding a screwdriver at one point. Additional images showed DEMARCO also standing at the ATM and manipulating the ATM. An image of this incident taken from Coastal1 Credit Union security footage can be seen below:



Discovery of Target Vehicle, Apprehension of Target Subjects, and Coastal1 Video Surveillance of DEMARCO Engaging in Fraudulent Transactions at Cranston RI ATM on July 6, 2024

26. Law Enforcement then conducted a query through Vigilant Solutions, another License Plate Recognition (LPR) system. I reviewed those records and observed that the last captured image for the Target Vehicle occurred on July 3, 2024, at 1:00 pm at the intersection of Route 684 and Route 84 near Brewster, NY⁷. An image of this LPR capture of the Target Vehicle can be seen below:



⁷ Vigilant Solutions LPR records revealed that between June 21, 2024, and July 3, 2024, several LPR captures for Target Vehicle occurred in various jurisdictions to include North Scituate, RI, Brooklyn, NY, Plainville, CT and West Haven, CT.

27. The Warwick PD notified surrounding agencies of the Target Vehicle's description and suspected involved activity. On July 6, 2024, the Cranston PD reported that the Target Vehicle was captured on a Flock Safety LPR on Sockanosset Cross Road at approximately 2:41 pm. This LPR is near the Coastal1 Credit Union located at 40 Sockanosset Cross Road, Cranston, RI 02920, in which there was a skimming device found on the ATM at this location on July 2, 2024, and it was determined from Coastal1 Credit Union surveillance that the ATM had been installed on July 1, 2024, at approximately 8:09 p.m..

28. On July 6, 2024, Detectives from the Warwick PD responded to the area of the Coastal1 Credit Union in Cranston. Detective Toussaint then observed the Target Vehicle backed into a parking space along Sockanosset Cross Road. Detective Toussaint drove past the Target Vehicle and observed one person in the driver's seat. Detective Toussaint positively identified that subject as one of the suspects that was seen placing a skimming device into the ATM in Warwick on July 3, 2024. This subject was later identified through fingerprinting as GARIOLI.

29. Additional Warwick Detectives responded to the area and observed a second male subject walking away from an exterior ATM towards the direction of the Target Vehicle. Detective Toussaint drove by that subject and positively identified that subject as the other suspect that was seen placing a skimming device into the ATM in Warwick on July 3, 2024. This subject was later identified through fingerprinting as DEMARCO.

30. Warwick Detective's approached and detained DEMARCO. Warwick

Detective's then approached and detained GARIOLI who was described by Detective Toussaint as "ignoring law enforcements presence" and "texting furiously" on a cell phone device.

31. Warwick Police Detective Ryan McGarry conducted a pat down of DEMARCO and found a stack of debit / gift cards with colored stickers on the back with handwritten 4-digit numbers and bank names⁸. I know from previous law enforcement investigations involving access device fraud, debit / gift cards are commonly "cloned or forged" with stolen bank information that was obtained from a skimming device. Additionally, I know that the use of cameras in addition to skimming devices can capture an unsuspecting customers PIN code, which is then commonly placed onto the cloned card for reference when the cards are used.

32. Members of the Cranston PD arrived on scene and advised that their agency was currently investigating skimming device complaints from various financial institutions, however they had not yet obtained video surveillance footage to further develop suspects.

33. At the time GARIOLI was detained, he identified himself as Leon VUTKUS (YOB: 1989) and presented a Czech Republic identification card which contained an image of himself along with the name Leon VUTKUS. A second Czech Republic

⁸ A total of twenty-eight (28) debit/gift cards were scanned through Electronic Recovery and Access to Data (ERAD), a platform available to law enforcement that provides the ability to inventory and interrogate any plastic card found during an investigation. Those twenty-eight (28) cards contained different card data and financial institution data than what was displayed on the front of the debit / card. Eighteen (18) of those cards contained customer accounts belonging to Coastal1 Credit Union.

identification card containing an image of himself along with the name Leon VUTKUS was located in his wallet. GARIOLI was in possession of a gray Samsung Galaxy cell phone. GARIOLI was also in possession of a TD Bank debit card and a Bank of America Card, each bearing the name “Leon Vutkus”.



34. At the time DEMARCO was detained, he identified himself as David ADAMEC (YOB: 1991) and presented a Czech Republic identification card which contained an image of himself along with the name David ADAMEC. DEMARCO was in possession of a black Samsung Galaxy A14 5G cell phone (Warwick Police Property # 24-2355-PR). DEMARCO was also in possession of TD Bank debit card bearing the name “David Adamec”.



35. At the time DEMARCO was detained, he was wearing a black Nike bucket hat similar to the one that can be seen in skimming device exposures in multiple jurisdictions later discussed in this affidavit⁹. An image of this hat can be seen below:



36. GARIOLI and DEMARCO were transported to the Warwick PD for the reported incident on July 3, 2024. The Target Vehicle was towed to the Warwick PD.

37. Coastal Credit Union video surveillance footage from the ATM located at 40 Sockanosset Cross Road, Cranston, RI 02920 on July 6, 2024, showed DEMARCO standing in front of the ATM, at approximately 2:51 pm. In the ATM video footage, DEMARCO is wearing a black Nike bucket hat and observed holding a cell phone and what appears to be a credit/debit/gift card containing a sticker on the back of the card.

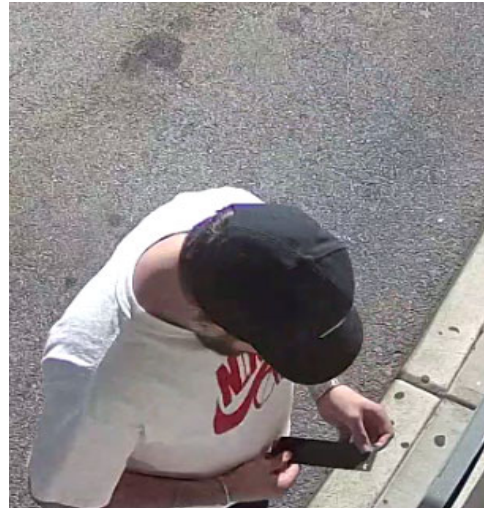
⁹ According to the Rhode Island State Police, they were notified by Navigant Credit Union that in April 2024, that financial institution discovered multiple installed skimming devices and hidden cameras on ATMs at branch locations in Woonsocket, RI, Warren, RI, and East Providence, RI. Two male subjects were captured on ATM video surveillance footage engaged in the installation of these devices. I reviewed these surveillance photographs, and I observed these males to be wearing face coverings. However, I also observed that one of the males wore a similar black Nike bucket hat while at Navigant Credit Union ATMs. Several of these photographs show this male installing the hidden camera on the ATMs. Further, one of the photographs provided by Navigant Credit Union shows DEMARCO at one of their ATMs in East Providence, RI on June 19, 2024.

An external camera also shows DEMARCO in the front parking lot holding what appears to be U.S. Currency at 2:57 pm. An image of this incident taken from Coastal1 Credit Union security footage can be seen below:



38. Coastal 1 Credit Union records for the ATM that DEMARCO was accessing on July 6, 2024, showed seventeen (17) transactions. Of those transactions, two (2) returned a response code of “Stolen Card – Retain” for two (2) different card numbers. Of the seventeen (17) transactions, four (4) withdrawal from savings transactions were conducted from four (4) different card numbers which totaled \$1,540.00.

39. Coastal1 Credit Union video surveillance footage from the ATM located at 40 Sockanosset Cross Road, Cranston, RI 02920 on July 5, 2024, also showed DEMARCO standing in front of the ATM holding a deep insert skimmer. An image of this incident taken from Coastal1 Credit Union security footage can be seen below:



40. GARIOLI and DEMARCO were transported to the Warwick PD for the reported incident on July 3, 2024. The Target Vehicle was towed to the Warwick PD for further investigation.

41. During the fingerprint processing of GARIOLI, an Automated Fingerprint Identification System (AFIS) response returned with an FBI number ending in 606V. This FBI number revealed a prior arrest for this subject that was conducted on April 18, 2023, by the North Haven PD in Connecticut. During that arrest, this subject provided the North Haven PD with the name "Stefano GARIOLI."

42. When Warwick Police Officer's confronted GARIOLI with this information, he admitted to being GARIOLI. Based on this information, I believe that the Czech Republic documents provided to law enforcement by GARIOLI are likely fraudulent.¹⁰

¹⁰ Based upon the belief that the Czech Republic documents possessed by GARIOLI and DEMARCO are likely fraudulent, those documents will be submitted to the Department of Homeland Security Forensic Laboratory for analysis to determine their authenticity.

43. During the fingerprinting processing of DEMARCO, an Automated Fingerprint Identification System (AFIS) response returned with an FBI number ending in 89TF for “Mario DEMARCO,” the name DEMARCO provided during DEMARCO’s prior arrest on April 18, 2023, by the North Haven PD in CT. My review of that police report, as later discussed in this affidavit, revealed that GARIOLI and DEMARCO were arrested together and possessed United Kingdom (“U.K.”) identifications respectively under the GARIOLI and DEMARCO names. HSI is still investigating to determine whether these identifications are authentic. Notably, HSI has been unable to locate any records in which GARIOLI and DEMARCO previously entered the United States through a Port of Entry (POE) utilizing the multiple names, GARIOLI/VUTKUS and DEMARCO/ADMAMEC, that they had provided to law enforcement for each of their arrests. Accordingly, the true identities of GARIOLI/VUTKUS and DEMARCO/ADMAMEC have not yet been confirmed.

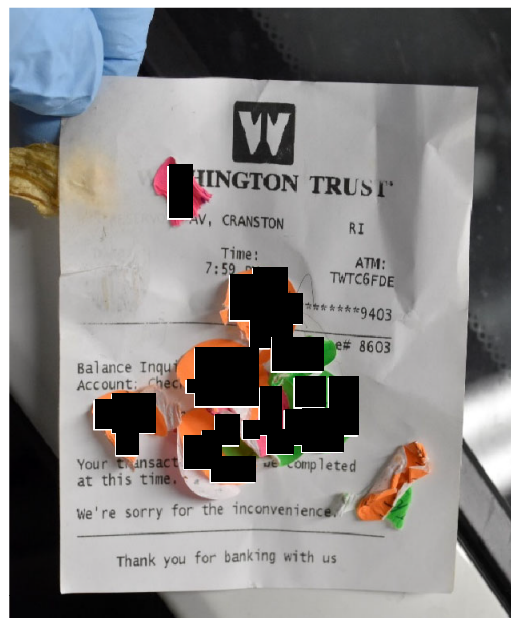
44. A Rhode Island state search warrant was obtained and executed for the Target Vehicle on July 6, 2024. The Target Vehicle was processed by Warwick PD. Inside of the trunk of the Target Vehicle was a black Nike Jordan baseball cap and a black New York baseball cap. Also inside of the truck was a pair of pants which contained an American Express gift card in the pocket.

45. The black Nike Jordan baseball cap pictured below is similar to a hat worn by DEMARCO in various ATM still images as shown throughout this affidavit. The black New York baseball cap pictured below is similar to a hat worn by GARIOLI at various ATM still images as shown throughout this affidavit.



46. In the front passenger side door, a white Apple air pod case was found along with a microchip and \$140.00 in U.S. Currency. Between the front passenger side front seat and center console was a Washington Trust bank receipt. The Washington Trust receipt as shown was for a balance inquiry into an account ending in 9403 at the Washington Trust located at 645 Reservoir Ave, Cranston, RI 02910. Attached to the receipt were numerous colored stickers with digits and bank names, that are believed to contain PIN numbers for cloned or forged cards. ¹¹

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¹¹ Washington Trust confirmed that this transaction occurred on June 29, 2024, and was for a balance inquiry. The financial institution for the card used during that transaction is Charles Schwab.

47. Behind the carpet on the floor of the Target Vehicle behind the shifter area, two skimming devices with SD cards attached to them were located. Inside the glove compartment were two black cases. One of those cases contained two empty plastic pouches. The other black case contained two insertable skimming devices and an inner face of a skimming device.

48. In the front driver side door was a cellphone. Two cellphones were located on the front passenger seat and one cellphone was in the center console of the Target Vehicle. The following items were seized from the vehicle and contain the associated Warwick PD property number:

- Gray T-Mobile Phone - 24-2358-PR
- Blue Apple iPhone - 24-2359-PR
- Black TCL K11 Cell Phone - 24-2360-PR
- Black Samsung Galaxy Cell Phone - 24-2361-PR
- Black Nike Hat - 24-2368-PR
- Black NY Hat - 24-2369-PR
- Air Pods - 24-2370-PR
- Micro SD Card - 24-2371-PR
- HERTZ Rental Agreement (09/29/23) - 24-2372-PR
- HERTZ Rental Agreement (06/21/24) - 24-2373-PR
- \$144.00 U.S. Currency - 24-2374-PR
- Washington Trust Receipt 9403 - 24-2375-PR

- American Express Gift Card - 24-2376-PR
- Skimmer Device with SD Card #1 - 24-2377-PR
- Skimmer Device with SD Card #2 - 24-2378-PR
- Empty Plastic Pouches from Black Case - 24-2379-PR
- Interface of Skimmer - 24-2380-PR
- Insertable Skimmer #1 - 24-2381-PR
- Insertable Skimmer #2 - 24-2382-PR
- Black Case (Contained 24-2379-PR) - 24-2383-PR
- Black Case (Contained 24-2380-PR, 24-2381-PR, & 24-2382-PR) - 24-2384-PR

49. The image below are two deep insert skimmers (left) and a PIN-capture overlay (right) that were among the items seized. Those items were discovered in a black case (Warwick Property # 24-2384-PR) and were assigned Warwick Property # 24-2380-PR, 24-2381-PR, & 24-2382-PR). Based upon my experience, a PIN-capture overlay is a false keypad placed over an ATMs factory keypad, and is designed to record and capture PIN numbers as they are entered on the ATM.



50. During the search of the Target Vehicle, a Hertz rental record # 165952441 was located¹². A review of this document revealed that the rental agreement was under the name “Leon Vutkus”. The Target Vehicle was rented on June 21, 2024, at 11:36 am from Newport Mall HLE located at 49 Mall Drive W, Jersey City, NJ 07310. The scheduled return time was listed as July 16, 2024, at 11:00 am, at the same location. At the time the vehicle was rented out, the mileage was listed as 44,779. At the time the search warrant was executed, the Target Vehicle mileage was listed as 48,237. Therefore, between June 21, 2024, and July 6, 2024, the Target Vehicle accumulated approximately 3,458 miles.

51. A RI state search warrant was obtained for the microSD cards described above as well as another found inside the suspect vehicle's front passenger door (on July 7, 2024. Pursuant to a search of the microSD cards, Detective Toussaint found each of the microSD cards contained dozens of video files capturing the placement of the camera devices on ATMs focused on the PIN pad at various ATMs which allowed the viewer to see the PIN codes entered on the PIN pads by unsuspecting customers.

Skimming Device Inserted in East Greenwich, RI ATM on July 5, 2024

52. During the initial investigation, members of the Warwick PD spoke with additional law enforcement throughout Rhode Island. It was learned during the

¹² Rental agreement history for “Leon VUTKUS” was later obtained from Hertz. Those records revealed previous rental vehicles during 2024. Most recently, a black Chevrolet Malibu bearing VA registration TRC1823 was rented between May 22, 2024, and June 22, 2024. Flock Safety LPR data captured that vehicle in Rhode Island between June 17, 2024, and June 19, 2024. On or about those dates, GARIOLI and DEMARCO were captured on ATM footage at Washington Trust and Navigant Credit Union ATMs in Rhode Island.

investigation that on July 5, 2024, the East Greenwich PD had responded to the Coastal1 Credit Union located at 5661 Post Road, East Greenwich, RI 02818.

53. Members of the East Greenwich PD spoke with Coastal1 Credit Union Manager A.W. who reported that upon her arrival to work on July 5, 2024, she reviewed camera footage from July 3, 2024, through July 5, 2024. A.W. reported that she observed on July 3, 2024, at approximately 7:14 pm, two male subjects approached the drive-up ATM on foot. A.W. reported that she observed the subjects to insert what appeared to be a skimming device into the ATM card slot. A.W. reported that after several minutes, the subjects walked away from the ATM.

54. Members of the East Greenwich PD obtained a still photograph of the subjects from the ATM. After a review of the image, I recognized the subjects to be GARIOLI and DEMARCO as seen below:



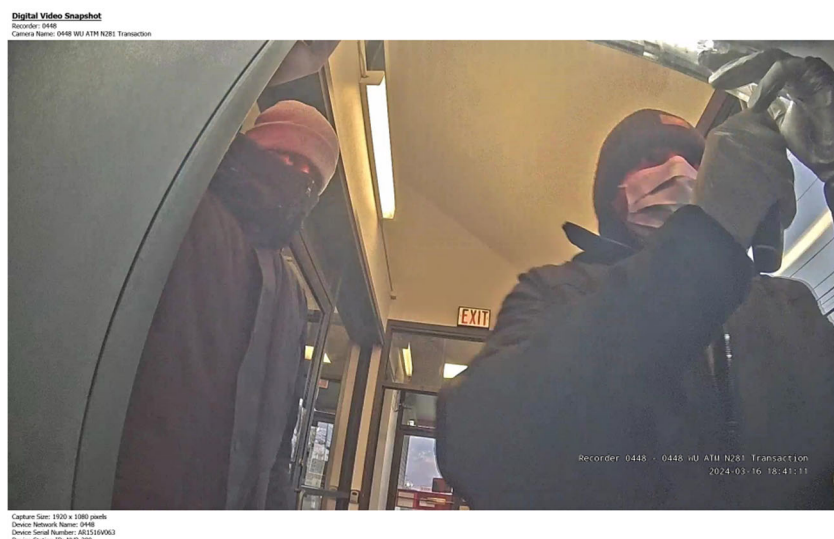
**Skimming Device Found on East Providence ATM with DEMARCO's fingerprints
on March 19, 2024**

55. On March 19, 2024, members of the East Providence PD responded to the Santander Bank located at 255 Newport Avenue, East Providence, RI 02916, after a

skimming device was located on an ATM. Santander Director of Security C.A. and Branch Manager J.A. reported that on the morning of March 19, 2024, at approximately 8:30 am, J.A. conducted routine checks on the ATMs.

56. J.A. reported that he observed the ATM outside of the lobby to have a small gap between the ATM and the frame. J.A. reported that he then observed a small black colored circle behind the frame cover facing down towards the ATM card reader and keypad. J.A. reported that during a previous ATM check conducted on March 15, 2024, that device was not present.

57. A review of ATM video surveillance footage was conducted which revealed that on March 16, 2024, at approximately 6:30 pm, two male subjects wearing winter hats, surgical masks and black jackets approached the ATM. That video surveillance footage revealed that one of the male parties appeared to install a device behind the frame cover of the ATM and inserted another device into the card reader. Video surveillance footage revealed that both subjects left the ATM approximately 1 minute and twelve seconds later. An image from Santander Bank footage of this incident can be seen below:



58. An ATM technician for Santander Bank, J.V., arrived on scene and removed the skimming device and secured it in a paper bag (East Providence PD Property # 24-368-PR). J.V. removed an electronic device from the ATM and was secured in a second paper bag (East Providence PD Property # 24-369-PR). Images of these items appear below:



59. Both seized items were processed, and latent prints were observed on the ATM skimmer device. Close-up photographs were taken of the latent prints captured on the ATM skimmer device and were submitted to the Rhode Island State Crime Lab for analysis.

60. On April 26, 2024, the East Providence PD received a response from the Rhode Island Crime Laboratory regarding the latent print discovered on the ATM skimming device. Law enforcement learned that the latent print was entered into the Automated Fingerprint Identification System (AFIS) which returned a match to DEMARCO with an FBI number ending in 89TF. Based on these findings, I believe that DEMARCO participated or assisted in the placement of this skimming device at the Santander East Providence branch in March of 2024.

Santander Bank Skimming Investigation

61. During my conversations with Santander Bank Corporate Security and with other members of law enforcement, I have learned that based on their review of security footage and the discovery of skimming devices at Santander Bank ATM's, GARIOLI and DEMARCO were suspected to have been responsible for the placement of skimming devices at various Santander branch ATMs in Rhode Island, New York, New Jersey, Pennsylvania, and Massachusetts between March 2023 and May 2024.

62. Santander Bank security personnel have provided images from these incidents. I have reviewed these images from numerous ATM skimming exposure incidents and believe that GARIOLI and DEMARCO are responsible for the placement of skimming devices at many of the reported incidents.

63. Santander Bank ATM still photographs in many of these incidents depict two male subjects, installing and removing skimming devices, as well as conducting cash withdrawals from ATMs. In some of the images, the suspects are wearing face masks which conceals a portion of their face. In other images, the suspects were not wearing face masks. I observed GARIOLI and DEMARCO in many of those incidents provided to me by Santander Bank related to these skimming incidents as shown below:

Digital Video Snapshot

Recorder: 2220

Camera Name: 2220 WU ATM N468 Area



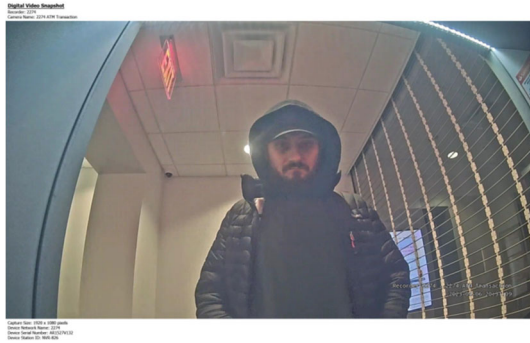
Capture Size: 840 x 398 pixels

Device Network Name: 2220

Device Serial Number: AR1451V138

Device Station ID: NVR-222

March 4, 2023
Jersey City, NJ
DEMARCO

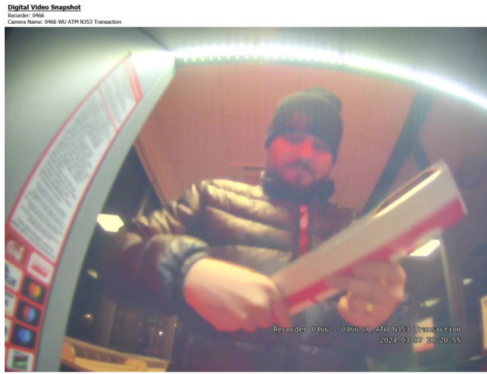


April 6, 2023
Staten Island, NY
DEMARCO



February 3, 2023 Philadelphia, PA
DEMARCO

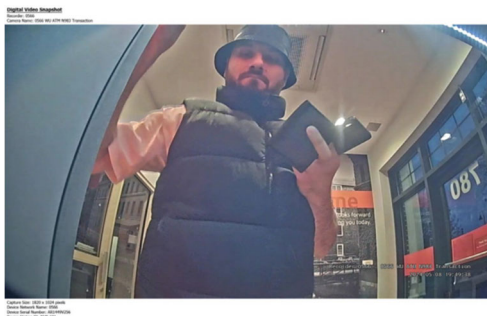
In this image, DEMARCO is wearing a white Nike t-shirt, which appears to be the same t-shirt DEMARCO was wearing when captured by Coastal1 Credit Union video surveillance footage in Warwick, RI, on July 3, 2024.



March 7, 2024
 Providence, RI
 DEMARCO



May 8, 2024
 Dorchester, MA
 GARIOLI



May 8, 2024
 Dorchester, MA
 DEMARCO

The hat worn by GARIOLI, and the hat worn by DEMARCO in the Dorchester, MA incidents appear similar to the hat located in the Target Vehicle that was occupied by GARIOLI, and the hat worn by DEMARCO during their arrest by the Warwick PD on July 6, 2024. See below:

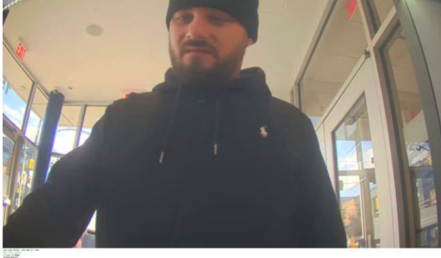


64. Santander Banks review of skimming exposure incidents at their branch locations is ongoing, however, Santander Bank security personnel has reported to me that they have experienced financial loss as the result of the placement of these skimmer devices, totaling \$19,037.00. Additionally, Santander Bank has reported that as a result of these skimming exposure incidents, approximately 1,693 customer cards were compromised.

New York Police Department Investigation

65. During this investigation, I contacted New York Police Department ("NYPD"). Detective James Lilla of the Financial Crimes Task Force. I inquired about GARIOLI and DEMARCO due to GARIOLI's outstanding arrest warrant which originated from the NYPD. Detective Lilla advised that he was familiar with both DEMARCO and GARIOLI and stated that they were suspects in numerous skimming device investigations in New York and New Jersey, beginning in 2022.

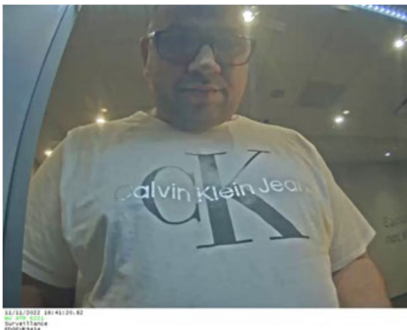
66. Detective Lilla then provided me a PDF document containing numerous images and incidents of skimming device exposures which occurred in New York between May 26, 2022, and April 6, 2023. Still photographs in many of these incidents depict two male subjects, installing skimming devices and checking ATMs. In some of the images, the suspects are wearing face masks which conceals a portion of their face. In other images, the suspects were not wearing face masks. I observed GARIOLI and DEMARCO in some of those incidents as shown below:



October 18, 2022
Brooklyn, NY
DEMARCO



November 11, 2022
Brooklyn, NY
DEMARCO (black sweatshirt with
"Balenciaga" on it)



November 11, 2022
Brooklyn, NY
GARIOLI

Washington Trust Cash Withdrawal Transactions

67. During this investigation, Washington Trust reviewed video surveillance footage and provided law enforcement with photographs obtained from ATMs that captured GARIOLI and DEMARCO. I reviewed Washington Trust records and the images provided. The following is a summary of those incidents:

68. Washington Trust reported that they were contacted by an individual named S.R., regarding a fraudulent ATM charge that occurred on June 29, 2024. S.R. reported that S.R. became aware of an ATM charge in the amount of \$104.00 on S.R.'s Chime debit card, that occurred on June 29, 2024, at the Washington Trust located at 645

Reservoir Avenue, Cranston, RI 02910, location.

69. Washington Trust reviewed ATM footage of the reported transactions and observed two male subjects in the Washington Trust lobby at the ATM. I reviewed those images and observed GARIOLI to be standing directly in front of the ATM at the time the fraudulent transaction was conducted. Additionally, I observed in those images, DEMARCO seated on an object next to GARIOLI at the time of the fraudulent transaction. Images of the described events are as seen below:



70. On June 2, 2024, between 5:49 pm and 6:10 pm, a male and female walked up to a Washington Trust ATM located at 645 Reservoir Avenue, Cranston, RI 02910. Washington Trust reported that these subjects conducted cash withdrawal transactions from the ATM.

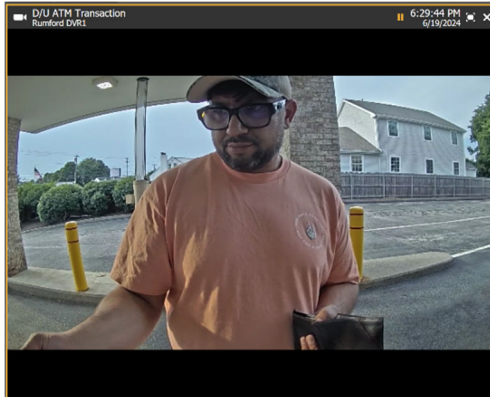
71. I reviewed records provided by Washington Trust and observed thirty-five (35) transactions were conducted during that timeframe. I observed that twenty-six (26) different cards were used for those transactions, each belonging to Comerica Bank. The total dollar amount that was attempted to be withdrawn was \$2,140.00. The total dollar amount that was disbursed was \$728.00.

72. I observed the male subject in the ATM photograph to be DEMARCO. The female in the image is unknown at this time of investigation. An image taken from bank surveillance footage of this incident showing DEMARCO appears below:



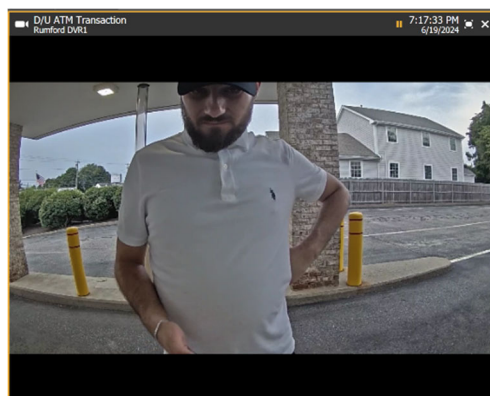
73. On June 19, 2024, between 6:26 pm and 6:35 pm, GARIOLI conducted several cash withdrawal transactions at a Washington Trust ATM located at 330 Newport Avenue, East Providence, RI 02916. I reviewed records provided by Washington Trust and observed ten (10 total) transactions; five (5) of which were conducted with different cards.

74. The cards used for those transactions came from multiple financial institutions to include USAA, Fifth Third Bank, Wells Fargo, American Airlines FCU and Sharonview FCU. During this incident, GARIOLI attempted to withdraw \$3,400.00. During this incident, GARIOLI successfully withdrew \$912.00. An image taken from bank surveillance footage of this incident appears below:



75. On June 19, 2024, between 7:17 pm and 7:19 pm, DEMARCO attempted to conduct several cash withdrawal transactions at a Washington Trust ATM located at 330 Newport Avenue, East Providence, RI 02916. I reviewed records provided by Washington Trust and observed a total of four (4) transactions, three (3) of which were used by different cards.

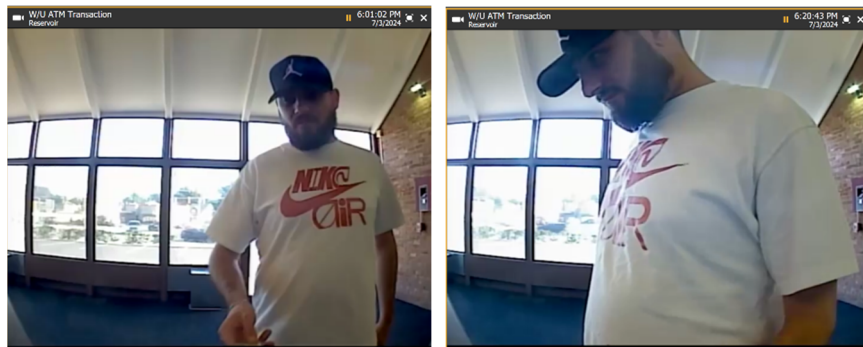
76. The cards used for those transactions came from multiple financial institutions to include Bank RI, Coastal Credit Union and Comerica Bank. During these transactions DEMARCO unsuccessfully attempted to withdraw \$360.00. An image taken from bank surveillance footage of this incident appears below:



77. On July 3, 2024, at approximately 6:00 pm, and 6:20 pm, DEMARCO attempted to conduct cash withdrawals from a Washington Trust ATM located at 645

Reservoir Avenue, Cranston, RI 02910. I reviewed records provided by Washington Trust and observed seventeen (17) total attempted transactions, fourteen (14) of which were conducted with different cards.

78. Washington Trust reported that the cards used for the attempted transactions belonged to Comerica Bank and Santander Bank. DEMARCO unsuccessfully attempted to withdraw \$100.00 during this incident. An image taken from bank surveillance footage of this incident appears below:



North Haven, CT Arrests – April 2023

79. During April 2023, the Target Subjects were previously arrested in North Haven, CT. The following is a summary of that investigation.

80. On April 18, 2023, at approximately 6:57 am, members of the North Haven PD in Connecticut responded to a suspicious activity call for service. Law Enforcement learned that a resident observed two male subjects park a Nissan Rogue and walk away from the vehicle. The North Haven PD was aware that on the previous date, April 17, 2023, a resident of that same area reported two subjects parking a Nissan Rouge and walking away from the vehicle.

81. The North Haven PD learned that during the suspicious activity call on

April 17, 2023, one of the subjects was observed placing a silver object under his sweatshirt and into his pants before walking away. The North Haven PD was also aware that on April 17, 2023, a nearby Bank of America had reported the discovery of a skimming device on an ATM.

82. While checking the area, the North Haven PD located and stopped two male subjects walking away from the rear of a nearby M&T Bank. The subjects confirmed that the previously described Nissan Rouge belonged to them. One of the subjects identified himself to law enforcement as Stefano GARIOLI with a United Kingdom identification card. The other subject identified himself to law enforcement as Mario DEMARCO with a United Kingdom identification card.

83. A pat down of DEMARCO revealed a silver ATM panel with computer chips and wires hanging from it. The ATM panel was under DEMARCO's pants and sweatshirt along his chest and right leg. A further search of DEMARCO revealed an additional black ATM skimming device.

84. A further search of GARIOLI revealed a black ATM skimmer panel in the front pocket of his hooded sweatshirt, and an ATM skimmer device with a computer chip attached to it, in his right rear pocket.

85. The North Haven PD later obtained video surveillance footage from the Bank of America ATM located at 35 Washington Avenue, North Haven, CT 06473. Law Enforcement reviewed footage from April 17, 2023, and observed GARIOLI and DEMARCO at that same ATM in which a skimming device had been located upon later on April 17, 2023.

86. The Nissan Rouge was learned to have been an Avis rental vehicle which had been rented out of Brooklyn, NY in the prior weeks. During a search of that vehicle, ATM skimming devices were located.

87. At the North Haven PD, GARIOLI and DEMARCO were read their Miranda Rights. GARIOLI declined to speak with law enforcement and was later processed.

88. DEMARCO agreed to speak with law enforcement. DEMARCO claimed to be of Italian descent and stated that he spoke fluent Italian and English. DEMARCO reported to have traveled to the United States approximately two months prior to visit and stayed at the Corona Osteria Queens Hotel for approximately one month. DEMARCO reported to have changed hotels, and ultimately had been staying at the Key Hotel in Flushing, NY, for the previous two weeks.

89. An Italian speaking officer began to speak to DEMARCO in Italian, and it was noted that DEMARCO did not appear to be fluent in Italian as he previously stated.

90. During the interview, DEMARCO admitted to responding to an ATM on April 17, 2023, in North Haven, CT and installing a skimming device on that machine. DEMARCO admitted that on April 18, 2023, he responded to that same ATM to remove the device.

91. In addition, DEMARCO claimed to have no knowledge of what the device was used for. DEMARCO claimed to have met a Russian or Ukrainian individual at the Key Hotel in Flushing, NY, who asked if he and GARIOLI could install the device on the ATM.

92. DEMARCO reported that the previously described subject would pay them \$500.00 to install the device and \$500.00 to remove the device. DEMARCO reported that he agreed to do the job, however he claimed to have no knowledge of what the device was.

93. DEMARCO reported that on April 17, 2023, the subject he described at the Key Hotel in Flushing, NY, gave him the device and directions to North Haven, CT. DEMARCO reported that he then drove to North Haven, CT with GARIOLI in a rental vehicle that was rented previously at Avis Car Rental. DEMARCO reported that after he and GARIOLI installed the device, they returned to Flushing, NY, where the previously described subject paid him \$500.00. DEMARCO reported that he then split that payment with GARIOLI.

94. DEMARCO reported that on April 18, 2023, he and GARIOLI traveled back to New Haven, CT, to retrieve the device. DEMARCO reported that at that time, he was encountered by law enforcement. DEMARCO was then asked about the skimming device that was located at a nearby Bank of America on April 17, 2023, to which DEMARCO stated he was not responsible for installing that device.

95. At the time of GARIOLI and DEMARCO's arrests in CT, law enforcement with the assistance Homeland Security Investigations, was unable to locate any records in which GARIOLI and DEMARCO previously entered the United States through a Port of Entry (POE) utilizing the names they had provided to law enforcement.

96. On April 19, 2023 the M&T North Haven Branch Manager for the 117 Washington Avenue, North Haven, CT location contacted the North Haven PD and

reported that a skimming device had been located at their drive-up ATM.

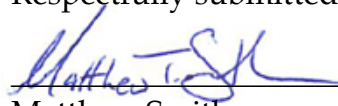
97. The North Haven PD later reviewed video surveillance footage from that ATM and observed that on April 17, 2023, at approximately 7:91 am, DEMARCO and GARIOLI walked up to the ATM and installed the skimming device.

98. The North Haven PD reviewed additional video surveillance footage which showed GARIOLI and DEMARCO returning to the ATM on April 18, 2023, and appeared to have removed a skimming device and installed a new skimming device into the ATM. The ATM footage captured DEMARCO removing the long strip containing a battery pack and pinhole camera, which he was found to be in possession of at the time of his arrest, several minutes later.

Conclusion

99. Based upon the above, including information provided by multiple financial institutions and multiple members of law enforcement as described within this affidavit, there is probable cause to believe that GARIOLI and DEMARCO have participated in skimming device incidents and fraudulent withdrawals from ATMs in multiple jurisdictions beginning in at least 2022 and continuing through July 2024 and did commit violations of the Target Offenses, 18 U.S.C. § 1029(b)(2), (conspiracy to commit access device fraud), 18 U.S.C. § 1349, (conspiracy to commit bank fraud), and 18 U.S.C. § 1028A (a)(1) and (c)(5) (aggravated identity theft).

Respectfully submitted,



Matthew Smith

Task Force Officer

Homeland Security Investigations

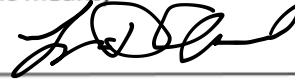
Attested to by the applicant in accordance with the requirements of Fed.

R. Crim. P. 4.1 by _____

(specify, **Telephone**, or other means)

July 16, 2024

Date



Judge's signature

Providence RI

City and State

Magistrate Judge Lincoln D. Almond

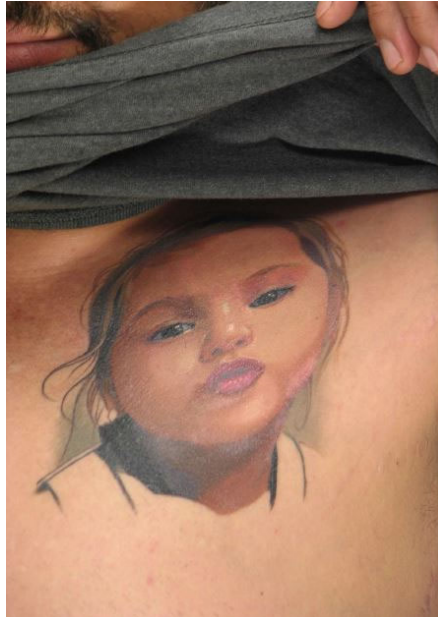
Attachment A

Target Subject 1: Stefano GARIOLI (DOB: [REDACTED])

Alias: Leon VUTKUS (DOB: [REDACTED])

FBI #: [REDACTED]

Citizenship: Unknown



Attachment B

Target Subject 2: Mario DEMARCO (DOB: [REDACTED])

Alias: David ADAMEC (DOB: [REDACTED])

FBI #: [REDACTED]

Citizenship: Unknown

